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United States District Court
Northern District of Texas
FILED
MAR 11 2015
Court of Appeals

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

UNITED STATES OF AMERICA

vs.

CRIMINAL NO.

SANTIAGO MARROQUIN-GONZALEZ *aka BIGOTES*

LEOPOLDO DUARTE-GANDARILLA

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15CR122

CRIMINAL INDICTMENT

THE GRAND JURY CHARGES

COUNT ONE

**[21 U.S.C. §846: Conspiracy to Possess With Intent
to Distribute a Controlled Substance]**

From on or about February 10, 2012, and continuing thereafter up to and including the date of this indictment, in the Southern District of Texas and elsewhere, and within the jurisdiction of this Court, the defendants,

SANTIAGO MARROQUIN-GONZALEZ aka BIGOTES

LEOPOLDO DUARTE-GANDARILLA

**TRUE COPY I CERTIFY
ATTEST:
DAVID J. BRADLEY, Clerk of Court
By Kathleen Murphy**

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did knowingly, intentionally, and unlawfully combine, conspire, confederate, and agree with others known and unknown to the Grand Jury, to commit an offense defined in Title 21, United States Code, §841, namely, to possess with intent to distribute one (1) kilogram or more of a mixture or substance containing a detectable amount of heroin, a Schedule I controlled substance and five hundred (500) grams or more of a mixture or substance containing a detectable amount of methamphetamine, a Schedule II controlled substance, all in violation of Title 21, United States Code, Sections 846, 841(a)(1), 841(b)(1)(A)(i) and 841(b)(1)(A)(viii).

COUNT TWO

/21 U.S.C. §841: Possession With Intent to Distribute a Controlled Substance]

From on or about July 24, 2012, in the Southern District of Texas and elsewhere, and within the jurisdiction of this Court, the defendants,



did knowingly and intentionally, aid, abet and assist each other to possess with intent to distribute one (1) kilogram or more of a mixture or substance containing a detectable amount of heroin, a Schedule I controlled substance, all in violation of Title 21, United States Code, §§ 841(a)(1), 841(b)(1)(A)(i) and Title 18, United States Code, §2.

COUNT THREE

[21 U.S.C. §841: Possession With Intent to Distribute a Controlled Substance]

From on or about September 19, 2012, in the Southern District of Texas and elsewhere, and within the jurisdiction of this Court, the defendant,

[REDACTED]

did knowingly and intentionally possess with intent to distribute one hundred (100) grams or more of a mixture or substance containing a detectable amount of heroin, a Schedule I controlled substance, all in violation of Title 21, United States Code, §§ 841(a)(1), and 841(b)(1)(B)(i).

COUNT FOUR

[21 U.S.C. §841: Possession With Intent to Distribute a Controlled Substance]

From on or about November 8, 2012, in the Southern District of Texas and elsewhere, and within the jurisdiction of this Court, the defendants,

[REDACTED]

did knowingly and intentionally, aid, abet and assist each other to possess with intent to distribute one hundred (100) grams or more of a mixture or substance containing a detectable amount of heroin, a Schedule I controlled substance, all in violation of Title 21, United States Code, §§ 841(a)(1), 841(b)(1)(B)(i) and Title 18, United States Code, §2.

COUNT FIVE

/21 U.S.C. §841: Possession With Intent to Distribute a Controlled Substance/

From on or about May 31, 2013, in the Southern District of Texas and elsewhere, and within the jurisdiction of this Court, the defendant,

[REDACTED]

did knowingly and intentionally possess with intent to distribute five hundred (500) grams or more of a mixture or substance containing a detectable amount of methamphetamine, a Schedule II controlled substance, all in violation of Title 21, United States Code, §§ 841(a)(1) and 841(b)(1)(A)(viii).

COUNT SIX

/18 U.S.C. 924(c)(1)(A) Using/Carrying a Firearm During Commission of a Drug Trafficking Crime/

From on or about May 31, 2013, in the Southern District of Texas and elsewhere, and within the jurisdiction of this Court, the defendant,

[REDACTED]

did intentionally and knowingly use and carry and possess a firearm, during and in relation to a drug trafficking offense, namely, possession with intent to distribute five hundred (500) grams or more of a mixture or substance containing a detectable amount of methamphetamine, a Schedule II controlled substance. In violation of Title 18, United States Code, Section 924(c)(1)(A)(i), and Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(A)(viii).

COUNT SEVEN

[21 U.S.C. §841: Possession With Intent to Distribute a Controlled Substance]

From on or about December 13, 2013, in the Southern District of Texas and elsewhere, and within the jurisdiction of this Court, the defendants,

SANTIAGO MARROQUIN-GONZALEZ
aka BIGOTES
LEOPOLDO DUARTE-GANDARILLA

did knowingly and intentionally, aid, abet and assist each other to possess with intent to distribute five hundred (500) grams or more of a mixture or substance containing a detectable amount of methamphetamine, a Schedule II controlled substance, all in violation of Title 21, United States Code, §§ 841(a)(1), 841(b)(1)(A)(viii) and Title 18, United States Code, §2.

NOTICE OF CRIMINAL FORFEITURE
[21 U.S.C. 853 - Criminal Forfeiture]

Under Title 21, United States Code, § 853, as a result of the commission of the violations of Title 21, United States Code, § 841, notice is given that the defendants,

SANTIAGO MARROQUIN-GONZALEZ
aka BIGOTES

LEOPOLDO DUARTE-GANDARILLA,

shall forfeit to the United States of America any property constituting or derived from any proceeds obtained, directly or indirectly, as a result of such violations alleged in Counts One through Seven (7) of this Criminal Indictment, and any property used or intended to be used, in any manner or part, to commit or to facilitate the commission of such violations. If, as a result of any act(s) or omission(s) of any or all of the above-listed Defendant, the property subject to

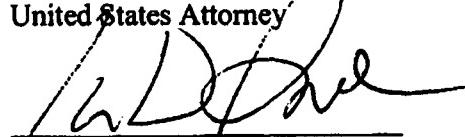
forfeiture cannot be located upon the exercise of due diligence, has been placed beyond the jurisdiction of the Court, has been transferred, sold to, or deposited with a third party, has been substantially diminished in value, or has been commingled with other property which cannot be divided without difficulty; it is the intent of the United States of America to seek forfeiture of any other property of the Defendant up to the value of such property, under Title 21, United States Code, § 853(p).

A TRUE BILL:

Original Signature on File

KENNETH MADIGSON,
United States Attorney

By:


Eric D. Smith
Assistant United States Attorney